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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 AUDLEY BARRINGTON LYON, JR., et. al.,

19 Case No.: 13-cv-05878 EMC

20 Plaintiffs,

21 v.
22 **SECOND JOINT STIPULATION
REGARDING PAGE LIMITS FOR
BRIEFING ON CROSS MOTIONS FOR
SUMMARY JUDGMENT, EXPERT
DISCOVERY CUT-OFF; [PROPOSED]
ORDER**

23 UNITED STATES IMMIGRATION AND
24 CUSTOMS ENFORCEMENT, et al.,

25 **CLASS ACTION**

26 Defendants.

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1 The Parties to this action hereby file this Second Joint Stipulation for an order to seek:

- 2 • **Expansion of the page limits for the Parties' cross motions for summary**
- 3 **judgment.** The Parties previously stipulated to, and the Court granted, Plaintiff up to
- 4 40 pages for its Motion for Partial Summary Judgment and Defendants up to 50 pages
- 5 for its Opposition and Cross Motion for Summary Judgment. (Dkt. Nos. 109, 110.)
- 6 The Parties have been diligently drafting their briefs, but due to the factual and legal
- 7 complexities involved in these motions, have determined that each side will need up
- 8 to an additional ten (10) pages to fully address the issues. Accordingly, Plaintiffs
- 9 seek leave to file an opening brief of up to 50 pages and Defendants seek leave to file
- 10 an opposition and cross-motion brief of up to 60 pages.
- 11 • **Expansion of the time period for filing declarations in support of administrative**
- 12 **motions to seal.** Under Civil L.R. 79-5(d), a party who has designated material as
- 13 confidential ("Designating Party") has four days after the filing and service of an
- 14 Administrative Motion to file a declaration supporting the sealing of material that the
- 15 party has designated as confidential. Based on the timing of Plaintiff's motion for
- 16 summary judgment, the anticipated volume of material, and the necessity for third-
- 17 parties to provide supporting declarations, the parties seek an additional six (6) days
- 18 for any Designating Party to file supporting declarations. Accordingly, Designating
- 19 Party declarations would be due on or before Monday, December 28, 2015.
- 20 • **Extending expert discovery by an additional eight (8) days.** The parties have been
- 21 diligently conducting expert discovery. However, given the schedule of the parties
- 22 over the holidays, the parties have been unable to arrange one final expert deposition
- 23 prior to the December 31, 2016 cut-off set by the Second Amended Case
- 24 Management Order (Dkt. No. 96). Accordingly, the parties seek an eight (8) day
- 25 extension of the expert discovery time period through January 8, 2016.

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1 Dated: December 14, 2015

Respectfully submitted,

2 ORRICK, HERRINGTON & SUTCLIFFE LLP

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4 By: /s/ Robert P. Varian
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30 *Attorneys for Plaintiffs*

1 Dated: December 14, 2015

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23 I, Robert P. Varian, am the ECF User whose User ID and password are being used to file this
24 Stipulation. In accordance with Local Rule 5-1(i)(3), I hereby attest that the other signatories
25 listed here have concurred in the filing of this document.

26 Dated December 14, 2015

27 By: /s/ Robert P. Varian
28 ROBERT P. VARIAN

1 [PROPOSED] ORDER
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4 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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7 Date: 12/15/15
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10 HON. EDWARD M. CHEN
11 United States District Court
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